

Remarks

Claims 1-24 and 27-47 remain in the application with Claims 1, 20, 31 and 40 being in independent form. Claims 1, 12 and 20 are being amended. Claims 25-26 have been cancelled and Claims 31-47 have been added. No new matter is being introduced.

Claims 1-6, 9-11, 18-25, and 28-30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tondato (U.S. Patent No. 4,756,516). Claims 7, 8, 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tondato in view of Nagashima (U.S. Patent No. 5,585,413). Claims 12-17 are objected to as being dependent upon and rejected base claim, but will be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for the allowance of Claims 12-17. In accordance with this allowance, Applicant has amended independent Claim 1 to set forth that the insulator disposed between the support structure and the plate *substantially surrounds the piston rod and abuts the plate*. The unique configuration of the insulator “abutting said plate”, as set forth in allowed dependent Claim 12, has therefore been incorporated to independent Claim 1. Intervening Claim 6, which sets forth the insulator having variable widths, is not required to support the novelty of the insulator abutting the plate as set forth in allowed dependent Claim 12. As such, this intervening claim has not been incorporated into independent Claim 1.

In accordance with the Examiner’s allowance, independent Claim 1 is believed allowable. Dependent Claims 2-19 are also believed allowable as these claims depend from the unique features of independent Claim 1.

Turning to independent Claim 20, this claim has been amended to incorporate the substantive limitations of dependent Claims 25 and 26. Applicant hereby traverses the obviousness rejection of dependent Claim 26. Previous dependent Claim 25 sets forth that the first portion had a first maximum width and the second portion had a second maximum width which is larger than the first maximum width thereby defining a ledge on the second portion extending outwardly beyond the width of the first portion. Dependent Claim 26 set forth that the first portion had a first height and the second portion had a second height smaller than the first height. Hence, the first portion has a smaller width but a larger height

than the second portion. As recognized by the Examiner, the Tondato reference does not disclose this unique configuration of the insulator. The Examiner uses the Nagashima reference to provide a teaching of this configuration of the insulator. Applicant contends that the Examiner is over-extending the teachings of the Nagashima reference as applied to the Tondato reference. Further, Applicant has clarified the language of independent Claim 20 to further distinguish the unique configuration of the subject insulator over the prior art of record.

Independent Claim 20 now requires that the second portion have a second maximum width larger than the first maximum width of the first portion which defines a ledge on the second portion. Independent Claim 20 also defines that the second portion have a second height significantly smaller than the first height of the first portion. This configuration sets forth a structure wherein the first portion compresses during the application of a first force and is adapted to isolate a majority of the displacement of the piston rod along the line of travel in the first direction. The second portion, which defines a greater second resistance, isolates and translates a minority of the displacement of the piston rod after the application of the first force during an application of the second force along the line of travel. The second force is greater than the first force such that both the first and second portions are at least partially compressed during the application of this second force. The insulator as set forth in independent Claim 20, therefore includes a first portion which is narrower and longer than a second portion such that the first portion can isolate the majority of the movement of the piston rod during a large majority of the operating range of the mounting assembly of the wheel suspension system. Conversely, the second portion is designed to only isolate and translate a minority of the displacement of the piston rod during an application of the second force where the second force is greater than the first force. The isolating and translating through the second portion only occurs in select instances during the operating life of the mounting assembly of the wheel suspension system.

Neither the Tondato or Nagashima references disclose, teach or suggest the unique configuration of an insulator having a longer and thinner first portion for isolating a majority of the forces and a shorter and wider second portion for isolating and translating a

minority of the forces as set forth in claim 20. In fact, the elastomers highlighted by the Examiner in the Tondato and Nagashima references are actually jounce bumpers. As known to those skilled in the art, a jounce bumper will not isolate and translate movement of the piston rod through a majority of the operation of the mount assembly and will only be operable when a casing of the shock absorber selectively engages the bumper. As such, Applicant contends that there is no disclosure, teaching, or suggestion from the prior art of record for the unique two-stage insulator as set forth in independent Claim 20.

In accordance with the amendments and remarks set forth above, independent Claim 20 is believed allowable. Dependent Claims 21-24, and 27-30 are also believed allowable as these claims depend from the unique features of Claim 20.

Independent Claims 31 and 40 have been added to set forth yet another unique combination of subject invention centered around the unique combination of the insulator with a jounce bumper. In particular, independent Claims 31 and 40 set forth an insulator having the unique configuration of the first portion defining a first resistance and a second portion defining a second resistance with the second resistance being greater than the first resistance in combination with a jounce bumper disposed on the same mounting assembly. As discussed above, the Examiner is using the disclosure of two jounce bumpers to reject the patentability of the claimed insulator. To highlight the novelty of the combination of the invention, Claims 31 and 40 set forth a jounce bumper having any suitable configuration with the uniquely configured insulator. Further, in independent Claim 31, the insulator is disposed about the piston rod between the support structure and the plate and a jounce bumper is disposed about the piston rod and mounted to the plate on *an opposite side from the insulator*. Independent Claim 31 therefore sets forth the unique configuration of a plate mounted to the piston rod with a uniquely configured insulator disposed on one side of the plate and a jounce bumper disposed on an opposing side of the plate.

Combination Claims 31 and 40 are therefore believed allowable. Dependent claims 32-39 and 41-47 are also believed allowable as these claims depend from the unique features of their respective independent claims.

The remaining references cited but not applied to the claims have been considered. Since the Examiner has apparently considered these references as less pertinent than the

above discussed references, further discussion of the non-applied references, at this time, is considered unnecessary. However, it is respectfully submitted that the claims in the subject patent application patentably define over all references of record either independently or in combination.

Accordingly, it is respectfully submitted that the Application, as amended, is now presented in condition for allowance, which allowance is respectfully solicited. The Commissioner is authorized to charge our Deposit Account No. 08-2789 for any fees or credit the account for any overpayment.

Respectfully submitted,

**HOWARD & HOWARD ATTORNEYS, P.C.**

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**CERTIFICATE OF MAILING**

I hereby certify that the attached **Amendment** is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on **June 29, 2004**.

  
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Brenda J. Hughes